

PTO Form 1960 (Rev 9/2007)

OMB No. xxx-xxxx (Exp. x/xxxx)

## Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	77127143
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 106
<b>MARK SECTION (no change)</b>	
<b>ARGUMENT(S)</b>	
<p><u>Surname Refusal</u></p> <p>The Examiner has issued a Final Office Action refusing registration of the proposed mark upon the basis that the mark is primarily merely a surname under Section 2(e)(4).</p> <p>The Applicant agrees with the Examiner that each mark must be decided on a case by case basis, and that the quantum of evidence that is persuasive in finding surname significance in one case may be insufficient in another because of the differences in the names themselves.</p> <p>The Examiner states that there is no rule as to the kind or amount of evidence necessary to make out a prima facie showing that a term is primarily merely a surname. However, the Examining Attorney bears the initial burden to make a <i>prima facie</i> showing of surname significance. For the Examining Attorney to make that showing, she must weigh all of the evidence to determine ultimately whether the mark is primarily a surname. <i>In re Sava Research Corp.</i>, 32 USPQ2d 1380, 1381 (TTAB 1994). If there is any doubt, the Examining Attorney must pass in favor of the Applicant. <i>In re Benthin Management GmbH</i>, 37 USPQ2d 1332, 1334 (TTA 1995).</p> <p><u>Rarity of Surname Significance</u></p> <p>The Examiner refused registration of the mark in the first office action based on a Lexis database of 114 listings of the surname Delacroix. This was the Examiner's proof of burden for reaching the conclusion that Delacroix was primarily merely a surname and not rare.</p> <p>Applicant disagrees with the Examining Attorney and respectfully restates that there are two current precedent decisions by the Trademark Trial and Appeal Board that refutes the Examiner's opinion. The Appeal Board specifically, on the result of a record of only 147 listings for the name "Yeley," concluded that "Yeley" is a rare surname. <i>In re J.J. Yeley</i>, (TTAB October 17, 2007). In another decision by the Trademark Trial and Appeal Board, the Judges reversed the Examiner's refusal based on 456 individual listings of the surname "Baik" along with nine news articles that had the name "Baik" appearing, did not support evidence findings and as a result the Board concluded that "Baik" is an extremely rare surname. <i>In re Joint-Stock Company "Baik"</i> (TTAB August 28, 2007).</p>	

In producing only 114 surname listings on a nationwide search in a country of over 290 million people for "DELACROIX", in the First Office and 35 news articles, some being obituaries and blogs from the internet, the Examiner did not prove that DELACROIX is primarily merely a surname. As stated in *Ex parte Rivera Watch Corp.*, 106 USPQ 145, 149 (Comm'r Pats. 1955):

"There are some names which by their very nature have only surname significance even though they are rare surnames. "Seidenberg," if rare, would be in this class. And there are others which have no meaning—well known or otherwise—and are in fact surnames which do not, when applied to goods as trademarks, create the impression of being surnames."

#### Historical Surname Significance

The Trademark Office has registered the names of other famous artists that are of different degrees of historical levels in the same class, International class 033, and for beer in International Class 032. Such as, FRIDA KAHLO, Registered No., 3,326,313 DA VINCI, Registered No. 3,106,667, BOTTICELLI, Registered No. 1,088,875, SALVADOR DALI, Registered No. 2,204,768, VAN GOGH, Registered No. 2,813,093, and WHISTLER, Registered No. 2,810,354, to name a few registered artist's names that are considered fanciful and arbitrary and not a descriptive meaning to the owner's goods.

There is reason why historical artist's names are commonly used for fanciful names in International Class 33. Alcohol, such as spirits and wines, has always been romantically linked to the art world environment, giving a certain ambiance and character. The specific nature of Applicant's goods when used with the mark would be associated by potential purchasers with the same relevance as the registered marks, as stated above do.

When looking on the world wide web for articles on Ferdinand-Victor Delacroix, you come across an infinite number of hits about the French Romantic painter. Some of the articles and quotes are given as evidence to DELACROIX's reputation:

Eugene Delacroix, by Gwendlyn Cuizon, March 21, 2007, [www.quazen.com/Arts/Srt-History](http://www.quazen.com/Arts/Srt-History), "Ferdinand-Victor Eugene Delacroix, undoable one of the greatest and most influential Romantic artists of all times . . ."

Drinking The Color, Time Magazine, [www.time.com/time/magazine/article](http://www.time.com/time/magazine/article), . . . "the French Artist Eugene Delacroix did something that would change the course of his own art, and to no small degree that of French painting itself . . ."

Ideas and Arguments, Roger Sandall, Notes August 2006, [www.rogersandall.com](http://www.rogersandall.com), . . . "Eugene Delacroix was not only an artist in love with his craft . . . which would bring fame and fortune to twenty generations of painters . . ."

Eugene Delacroix, Pierre Bonnard, Arts and Culture, "Delacroix had completed some of his more famous works such as Liberty Leading the People. . . The Massacres At Chios," . . . [www.artandculture.com](http://www.artandculture.com)

Discover France, Art and Architecture, " . . . Delacroix, b. April 26, 1798, d. Aug. 13, 1863, was the leading exponent of romantic painting in France (see romanticism)." [www.discoverfrance.net](http://www.discoverfrance.net)

Catholic Dictionary, Ferdinand-Victor-Eugene Delacroix, and " . . . a distinct promise of his future eminence had been manifested in the first of his recorded canvases, Roman Matrons Sacrificing their Jewelry to Their Country . . ." www.catholicity.com (Exhibits A1, A2 and A3)

The Examining Attorney maintains that the primary significance of the proposed mark "DELACROIX" to the relevant purchasing public is that of a surname. To support this position, the Examiner refers to 35 articles, many that are blogs, and obituaries as evidence to show the name Delacroix in them. Although the Applicant realizes that Delacroix is used as a surname, this however does not necessarily mean that DELACROIX will only be perceived as a surname by the relevant purchasing public.

The Examiner refers to a Michel Delacroix as a famous artist. With all due respect to Michel Delacroix as an artist and the Applicant admits that his name is found on the internet, Applicant argues that you can not compare him to the famous French painter, Eugene Delacroix. The differences being exactly what the Appeal Board was stating in their definition of historical and semi-historical names. In the past, in cases involving historical names, the Board has drawn a line between those names considered so widely recognized as to be "almost exclusively associated in terms of commercial impressions with the historical figures" and those names "semi historical in character." In re *Pickett Hotel Company*, 229 USPQ 760, 761-2 (TTAB 1986).

But even when such a line was drawn, the ultimate issue to be determined was still that of the primary significance of the mark in question public. See, In re *Champion International Corp.*, 229 USPQ 550 (TTAB 1985).

"The semi-historical/historical distinction is simply one means of determining the degree of significance of the name to the public as that of a famous person." In re *Pyro-Speculars, Inc.* (TTAB 2002).

Eugene Delacroix, is considered the foremost painter of the romantic movement in France; his influence as a colorist is inestimably great See The Columbia Encyclopedia, Sixth Edition, 2001-2007 (Exhibit B) in was one of the greatest and most influential Romantic artists of all times, his peers and influence with Michangelo and Rubens.

The New York Metropolitan Museum of Art has 20 of his paintings on permanent exhibit. The Philadelphia Museum of Art has 8 of his paintings on permanent exhibit. The Louvre of Paris has over 20 oil paintings by Eugene Delacroix. These are just a few, his paintings are on view at over 40 renowned museums and distinguished art galleries throughout the world, including the National Gallery of Art (Smithsonian) in Washington DC. (Exhibit C)

As evidence of DELACROIX being a historical figure, one just as to run a search of the name in dictionaries. The definition for DELACROIX does not state anyone else, living or dead, or anyone with the same name "DELACROIX, only Ferdinand Victor Eugene Delacroix, all with the same definition, "French romantic painter." See, www.thefreedictionary.com, www.dictionary.com, www.dictionary.infoplease.com (Exhibit D). Applicant argues that if Delacroix was merely primarily a surname, then the dictionaries would come up with "no match or no results, but instead the word Delacroix definitively describes the artist.

Historical names that are widely recognized as such do not really fall into the classical "personal name" category at all: "The law permits the adoption as a trademark of the name of a person who has achieved fame and distinction, provided the name is not descriptive of the quality or character of the

article or a geographical name." *In re Stephen Bros., Inc. v. Stamatopoulos*, 238 F. 93 (2d Cir 1916). Such historical names are placed in the same category as inherently distinctive arbitrary marks. See, *Restatement (Third) of Unfair Competition § 14, comment e* (1995). The Restatement follows this principle: "If a mark consists of the name of an historical figure or other noted person and is likely to be recognized as such by the prospective purchasers, secondary meaning ordinarily will not be required.

Applicant points to an Opinion in September 2004, the Trademark, Trial and Appeal Board found that though the significant part of the Applicant's argument that the surname "MOSCONI" is primarily merely a surname in its own showing that Willie Mosconi was of such historical significance in the game of billiards and being so famous at billiards during the last fifty years of his life that his name MOSCONI is synonymous with the game, the Appeal Board agreed with the Applicant that the surname should not be refused registration under Section 2(e)4 of the Lanham Act and reversed the refusal registration.

Applicant argues that this case is analogous to a prior Board decision finding that an applicant was entitled to registration of the mark SOUSA for fireworks and entertainment because potential purchasers would associate patriotic events with an historic figure well known in our history for his patriotic music. *In re Pyro-Spectaculars Inc.*, 63 USPQ2d at 2024 (TTAB 2007).

The art historical name "DELACROIX" is fanciful and arbitrary in meaning as applied to the Applicant's goods and does not in anyway describe the goods or properties of the product.

Applicant has filed under 15 U.S.C. Section 1051(b) and with the additional evidence for the mark, Application respectfully requests that the Examining Attorney approves "DELACROIX" for publication.

Simultaneously, the Applicant has filed a Notice of Appeal.

## EVIDENCE SECTION

### EVIDENCE FILE NAME(S)

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<b>DESCRIPTION OF EVIDENCE FILE</b>	1. Internet articles for Eugene Delacroix, Exhibits A1-A2-A3 2. Columbia Encyclopedia definition for Delacroix Exhibit B 3. Listings of Museums that exhibit paintings by Delacroix Exhibit C 4. Various dictionary definitions for Delacroix
<b>SIGNATURE SECTION</b>	
<b>RESPONSE SIGNATURE</b>	/john cooper/
<b>SIGNATORY'S NAME</b>	John Cooper
<b>SIGNATORY'S POSITION</b>	President
<b>DATE SIGNED</b>	05/08/2008
<b>AUTHORIZED SIGNATORY</b>	YES
<b>CONCURRENT APPEAL NOTICE FILED</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Thu May 08 10:14:11 EDT 2008
<b>TEAS STAMP</b>	USPTO/RFR-74.92.93.161-20 080508101411902984-771271 43-420443b80f0dbef1f8ca14e

821669b2f1b1-N/A-N/A-2008 0508095512469886
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PTO Form 1960 (Rev 9/2007)

OMB No. xxxx-xxxx (Exp. x/xxxx)

## Request for Reconsideration after Final Action

### To the Commissioner for Trademarks:

Application serial no. 77127143 has been amended as follows:

#### ARGUMENT(S)

**In response to the substantive refusal(s), please note the following:**

##### Surname Refusal

The Examiner has issued a Final Office Action refusing registration of the proposed mark upon the basis that the mark is primarily merely a surname under Section 2(e)(4).

The Applicant agrees with the Examiner that each mark must be decided on a case by case basis, and that the quantum of evidence that is persuasive in finding surname significance in one case may be insufficient in another because of the differences in the names themselves.

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Discover France, Art and Architecture, " . . . Delacroix, b. April 26, 1798, d. Aug. 13, 1863, was the leading exponent of romantic painting in France (see romanticism)." [www.discoverfrance.net](http://www.discoverfrance.net)

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As evidence of DELACROIX being a historical figure, one just as to run a search of the name in dictionaries. The definition for DELACROIX does not state anyone else, living or dead, or anyone with the same name "DELACROIX, only Ferdinand Victor Eugene Delacroix, all with the same definition, "French romantic painter." See, [www.thefreedictionary.com](http://www.thefreedictionary.com), [www.dictionary.com](http://www.dictionary.com), [www.dictionary.infoplease.com](http://www.dictionary.infoplease.com) (Exhibit D). Applicant argues that if Delacroix was merely primarily a surname, then the dictionaries would come up with "no match or no results, but instead the word Delacroix definitively describes the artist.

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#### **EVIDENCE**

Evidence in the nature of 1. Internet articles for Eugene Delacroix, Exhibits A1-A2-A3 2. Columbia Encyclopedia definition for Delacroix Exhibit B 3. Listings of Museums that exhibit paintings by Delacroix Exhibit C 4. Various dictionary definitions for Delacroix has been attached.

##### **Original PDF file:**

[http://tgate/PDF/RFR/2008/05/08/20080508101411902984-77127143-006\\_001/evi\\_749293161-095512469\\_.\\_Exhibit\\_A1.pdf](http://tgate/PDF/RFR/2008/05/08/20080508101411902984-77127143-006_001/evi_749293161-095512469_._Exhibit_A1.pdf)

##### **Converted PDF file(s) (4 pages)**

Evidence-1

Evidence-2

Evidence-3

Evidence-4

##### **Original PDF file:**

[http://tgate/PDF/RFR/2008/05/08/20080508101411902984-77127143-006\\_002/evi\\_749293161-095512469\\_.\\_Exhibit\\_A2.pdf](http://tgate/PDF/RFR/2008/05/08/20080508101411902984-77127143-006_002/evi_749293161-095512469_._Exhibit_A2.pdf)

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Evidence-1

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Evidence-5

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Signature: /john cooper/ Date: 05/08/2008

Signatory's Name: John Cooper

Signatory's Position: President

The signatory has confirmed that he/she is not represented by either an authorized attorney or Canadian attorney/agent, and that he/she is either (1) the applicant or (2) a person(s) with legal authority to bind the applicant; and if an authorized U.S. attorney or Canadian attorney/agent previously represented him/her in this matter, either he/she has filed a signed revocation of power of attorney with the USPTO or the USPTO has granted the request of his/her prior representative to withdraw.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

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## • Eugene Delacroix

by Gwendolyn Cuizon, Mar 21, 2007

**A look into the life of Famous French painter Eugene Delacroix.**

Ferdinand-Victor-Eugene Delacroix, undoubtedly one of the greatest and most influential Romantic artists of all times, was born on April 26, 1798, in the town of Charenton-St-Maurice, France.

Charles Delacroix, Foreign Minister under the Directory and Prefecture of Marseilles was his father. But Charles was believed to be infertile during his conception, leading people to assume that he was the son of Talleyrand, the famous diplomat, due to the striking resemblance.

His father Charles died in 1805 when he was seven. His mother soon followed in 1814 when he was sixteen. Extreme poverty drove Eugene to create lithographs and caricatures as a means of living.

He studies at the Lycée Louis le Grand, where he learned the classics and was recognized for his drawings. He was only 17 years old when the French painter Pierre-Narcisse Guerin took him under his wings in 1815. In Guerin's studio he met Théodore Géricault, a Romantic painter who exerted huge influence on him.

In 1818, Eugene's genius first became apparent when he made his first canvas "Roman Matrons Sacrificing their Jewelry to Their Country". In 1822 Delacroix had his first taste of fame when he submitted Dante and Virgil in Hell to the Paris Salon exhibition against his mentor's, Guerin, advice. The painting was later acquired by the French government.

In 1824, Delacroix again joined Paris Salon with the Massacre of Chios entry. This work established Delacroix reputation as one of the Romantic painters. Romance is shown in his temperament and choice of subjects particularly in his dramatic depiction of scenes from various inspirations such as mythology, literature, and political, religious, and literary history. This particular piece depicted the massacre that occurred on the island of Chios where some 20,000 Greeks were annihilated by the Turks. The painting was

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purchased by the state for 6,000 francs.

Delacroix found his voice in the Romanticism. He heaped great praises on its founder Michelangelo: The depiction of tender sentiments lies outside the bounds of Michelangelo's genius. In this work [The Last Judgement in the Sistine Chapel] above all, he indulged his taste for terribilitas. His imagination, oppressed by endless re-reading of the Prophets, yielded only images of dread, and the solitude he cherished could only exacerbate his melancholy disposition."

Delacroix esteemed Rubens, another great Romantic artist, greatly. Rubens art exerted huge influence on Delacroix and inspired his later works The Death of Sardanapalus and the Christ on the Cross (1845). Both artists are known for their skills in depicting both allegory and history side by side.

Romantic artists' Michelangelo and Rubens influences are evident in Delacroix works. From them, Delacroix derived his inspirations for his art. Delacroix did not only copy the works of the great Romantic art masters but also made them his own. Each art work he made bore a unique stamp of Delacroix's unique identity, ingenuity and talent on it. Delacroix did not merely imitate, he also sought to surpass the achievement of his predecessors and role models. Perhaps that was his greatest achievement to Romanticism - the ability to gain inspiration from the masters and attempt not only to imitate their art but moreover, to exceed what they have achieved.

In 1825, he toured England. He visited galleries, theaters and got acquainted with the place's colorful culture. Delacroix later made use of what he observed in his works. The period 1827 to 1855 were the most productive years for Delacroix as he produced one masterpiece after another. His penchant for the terribilitas or images of dread was said to be influenced by Michelangelo's works. Vivid examples of terribilitas were Death of Sardanapalus and The Execution of Marino Faliero which were exhibited in the Salon in 1827. In 1828, his work which comprised of 17 lithographs based on Goethe's Faust came out.

Arab customs inspired him to produce The Fanatics of Tangier (1837-1838), The Sultan of Morocco and His Entourage (1845), The Lion Hunt in Morocco (1854), Arab Seducing His Horse (1855). In 1833-1837 Delacroix was commissioned to decorate the King's Chamber in the Palais Bourbon. In 1834, his entry in the Salon, Women of Algiers in Their Apartment (1834) became highly acclaimed.

Other notable works were: The Shipwreck of Don Juan (1840), Medea about to Kill Her Children (1838), The Entry of the Crusaders into Constantinople (1840), Apollo Slays Python (1850-1851). During the Universal Exposition Paris in 1855,

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48 of his paintings were shown. He became a member of the Academy. He fell ill. Delacroix was forced to retire in the country. He passed away on August 13, 1863.

Delacroix pictorial works numbered thousands, 9140 all in all. Ernest Chesneau break down the works as follows: 853 canvases, 1525 pastels, water-colours and others, 6629 drawings, 24 engravings, 109 lithographs, and 60 albums.

  
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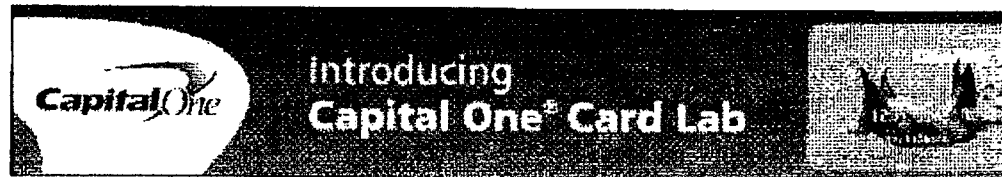
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## DRINKING THE COLOR

By ROBERT HUGHES

At the end of 1831, the French artist Eugene Delacroix did something that would change the course of his own art, and to no small degree that of French painting itself. He left Paris and went to Morocco -- an arduous journey in those days, on winter roads to Marseilles and then by naval frigate to Tangier. It was made easier by his connections. The 34-year-old painter was traveling with his friend, a French diplomat named Charles de Mornay, sent to conclude a treaty with Moulay Abd-er-Rahman, the Sultan of Morocco. (France had conquered neighboring Algeria the year before and did not want any Moroccan interventions in its new colony.) The mission, including Delacroix, arrived in Morocco in January 1832 and stayed six months.

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Morocco would change Delacroix profoundly. For the next 30 years, the last half of his life, images from "the land of lions and leather," as he called it in a letter from Meknes, would recur in his work, meeting and dictating its needs; the innumerable drawings and watercolors he made there, along with the dense and (to a modern eye) almost cinematic impressions he jotted down in his journal, were a permanent resource he could draw from. Delacroix had already made a brilliant name for himself with "Oriental" subjects, including his Byronic denunciation of Turkish barbarity in Greece, The Massacres at Chios (1824), and that enormous Romantic panorama of sex, death and animal vitality, The Death of

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### Eugene Delacroix 1798–1863

A great painting—but for Delacroix strictly a one-off. He hated crowds, feared revolutionary turmoil, loathed popular hysteria, and thought mobs did nothing but break and smash. Yet if you want an inspiring vision of freedom, then *Liberty Leading the People* is almost irresistible. "To be led into a cloudless future by a beautiful half-naked woman" one critic has written, "is a dream that never fails of its effect"; and the excited men panting behind her could only agree.

Kenneth Clark wrote that "it is one of the few programmatic pictures of revolution that has any claim to be a work of art". Having enthusiastically endorsed the Paris uprising of 1830, however, Delacroix never painted this sort of thing again. He was very ambitious and sought recognition as one of his country's leading artists. His relations with those on high were generally good. He did not wish to be known as a trouble maker. After contributing this lasting image to the annals of popular revolt he turned away from insurrection forever.

#### Essays

#### Notes and Comments

- Introduction
- John Ruskin and Text
- Rock, water, cloud
- Johann Le Camille
- Checkout Time
- Chalkboard Tests
- Science News
- Three Poems
- Ayaan Hirsi Ali
- Civility
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an altogether engaging man. In John Russell's words, "Delacroix in his *Journal* is one of the most cogent arguments for the human race. That we are in the company of a great man is never in doubt. But whereas not every great man gains from proximity, or can usefully be studied in isolation from his work, Delacroix the diarist begins with our respect and ends, just on half a million words later, with our unbounded affection. Incomplete as they are, his diaries rank among the *fragmenta aurea* of European civilization. They are passionate but not scabrous, worldly but not heartless, intimate but not indiscreet, animated but not rackety, profound but not ponderous, discursive but not self-indulgent. Above all, they are truthful and direct."

Below are selections from various writings (often condensed or elided) along with comments by friends, critics, and others. When not otherwise identified they are from the *Journal* or the letters of Delacroix.



- Cien Poltrici
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Eugene Delacroix

French Romantic

 LIVED  
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## Eugene Delacroix

For the last half of his life "the land of lions and leather" molded Eugene Delacroix's imagination and provided inspiration for more than 100 paintings. No one from France had ever been allowed inside Meknes, the capital of Morocco, when Delacroix's group, complete with bodyguards, accomplished the strenuous journey. For the short time he was there, Delacroix ate up the exoticism that would become a high-sought commodity among Paris art collectors. He wrote that "at every step" the slave markets, hookahs, and ornately clad Jewish women presented "ready-made paintings which would make the fame and fortune of 20 generations of painters." Indeed Delacroix was the first conqueror on this early modernist quest -- one free of politically-correct restrictions. Artists of all types would follow Delacroix's sandal-tracks in search of the "fresh" and the "pure." As Matisse claimed, "I have found landscapes in Morocco exactly as they are described in Delacroix's paintings."

Before the muse of Morocco fluttered about Delacroix's heart it was the luxuriant style of Peter Paul Rubens and Paolo Veronese that profoundly influenced him; he ingested the spirit of Theodore Gericault, an artist of Delacroix's own sensibility who cherished liberty and romanticism. Delacroix had completed some of his more famous works such as "Liberty Leading the People," an allegorical glorification of liberty, and "The Massacres at Chios," a political piece with an "oriental" subject.

But in Morocco Delacroix exposed within himself the sense of antiquity needed to set French Romanticism on a new path. The figures in his Morocco-inspired works are reminiscent of the ancient Greeks and Romans: barefooted, clothed in

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blinding white, draped in sashes. The women and their harems especially provoked Delacroix to express an other-worldliness lacking in Western art. He vigorously recorded in journals the details: shadowed eyes, flower decorated hair, heavy stoned jewelry, round supple hands. He desired to bring the chipped white walls, indestructible stallions, and bold blue skies back to France.

His paintings also speak of Delacroix's position within a foreign culture. In "Street in Meknes" the figures mutually gaze out at the audience as the audience curiously looks in. They seem to beckon as well as question a hastily accepted intruder. It is clear that much more than a canvas separated Delacroix and his patrons from the "antique" people he was so enamored with. However compared to earlier more "fictional" works such as "Massacre at Chios" where the viewer struggles with accepting the human experience as authentic, Delacroix's Moroccan works solidified his legacy, hold questionable figures in a real time, a believable background, and true light.

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**Our Recommended URLs****Albright Knox: Eugene Delacroix**

Written for children, this piece asks viewers to observe "Street in Meknes" and question how Delacroix must have felt traveling there.

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Enjoy a collection of reproductions including the masterpiece "Liberty Leading the People" and the animated "Lion Hunt."

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**Cleopatra and the Peasant**

Ever wonder where Delacroix's inspiration came from while he painted "Cleopatra and the Peasant?" Visit this page to learn the details.

**Discover France: Eugene Delacroix**

The significance of a few of Delcroix's major works such as "Liberty Leading the People" and "Dying on the Ruins of Missolonghi" are explored in this one-page essay.

**Massacre at Chios**

Study one of Delacroix's much debated masterpieces and read a historical brief.

**Smithsonian Magazine: From Saints to Sunsets: The Late Great Works of Delacroix**

Smithsonian Magazine reviews the Philadelphia exhibit "Delacroix: The Late Work" and offers sample illustrations from the tour.

**The Catholic Encyclopedia: Eugene Delacroix**

Just the facts at this biographical site — learn about Delacroix's family, school, and career history.

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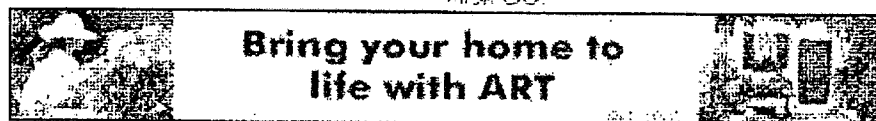
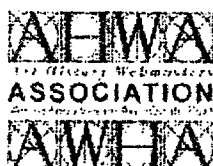
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**F**erdinand Victor Eugène Delacroix {duh-lah-kwah'}, b. Apr. 26, 1798, d. Aug. 13, 1863, was the leading exponent of romantic painting in France (see romanticism). In 1815 he entered the studio of the neoclassical painter Pierre Narcisse Guérin, where he met Théodore Géricault, a romantic painter by whom he was much influenced. At the 1824 Salon he

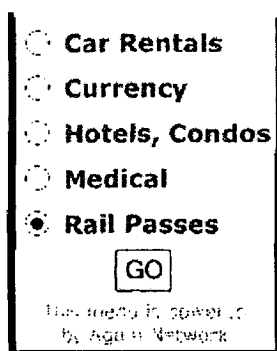


"Femme au perroquet"  
by Eugène Delacroix  
Musée des Beaux-Arts, Lyon

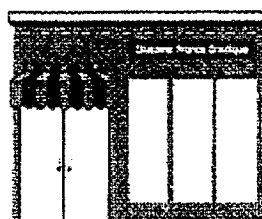
admired John Constable's English landscapes, which reintroduced into France the baroque coloristic tradition that the neoclassical painters had earlier discarded.

**C**haracteristic of Delacroix's pictures is unresolved tension and

a romantic obsession with human mortality. *Greece Dying on the Ruins of Missolonghi* (1827; Musée des Beaux-Arts, Bordeaux), for example, commemorated the defeat of the Greek nationalists gathered there around Lord Byron in the early 1820s. Delacroix saw in the Greek struggle for independence against the Turks an affirmation of the ideal of liberty. In the painting, Greece is personified as a young woman with supplicating gesture. The blood-spattered ruins on which she stands indicate defeat, and the greenish tint on the woman's breast, suggesting imminent death, symbolizes the defeat of a noble cause. The painting



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in many respects  
prefigures *Liberty  
Leading the People*  
(1830), in which the  
heroine is now the  
triumphant figure of  
liberty.



"Liberty Leading the People"  
by Eugène Delacroix  
Musée du Louvre, Paris  
BUY DELACROIX PRINTS

In 1832, Delacroix  
accompanied a  
French embassy to  
the sultan of  
Morocco. While at

Tangiers he filled notebooks with drawings of local  
details, amassing facts for the paintings with Oriental  
subjects he would introduce into French art. Yet his  
Oriental pictures are never mere descriptions of local  
customs, for Delacroix always insisted that imagination  
was the essential gift of the painter. In *Lion Hunt*  
(1861; Art Institute of Chicago), a Rubenesque picture  
filled with men, horses, and wild animals, such details  
as turbans and wild, non-European expressions are  
fused by the unreal color into an imaginative vision.

Literature was another powerful stimulus to  
Delacroix's imagination. The theme of Hamlet  
especially appealed to him because Shakespeare's  
hero was also tortured by the uncertainty of existence.  
In *Hamlet and Horatio in the Graveyard* (1859; Louvre,  
Paris) the figures appear amid reminders of human  
death. The ground slopes away under a sky filled with  
blood-red clouds. Painted with tenuous brushstrokes,  
the figures' surroundings seem to share their  
restlessness, and a fantasylike atmosphere pervades  
the scene.

Delacroix's career was studded with honors. He was  
awarded (1831) the medal of the Legion of Honor and  
was commissioned to decorate the Library of the  
Senate in the Luxembourg Palace and the Library of  
the Chamber of Deputies in the Bourbon Palace (both  
completed 1847). He was elected to the Institut de  
France in 1857.

Joan Siegfried

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# Ferdinand-Victor-Eugène Delacroix

From the CATHOLIC ENCYCLOPEDIA

French painter, b. at Charenton-St-Maurice, near Paris, 26 April, 1798; d. 13 August, 1863. He was the son of Charles Delacroix, minister of foreign relations under the Convention from 1795 to 1797, and a grandson, by his mother of Aben, the famous pupil of Boullée. From his earliest childhood his love for music was intense and exercised throughout his life a decided influence on his work. He always attributed his success in his representation of the Magdalen (Saint-Denis of the Holy Sacrament), fainting from grief for her crucified Master, to an impression made upon him by the canticles of the month of May; while it was under the emotion produced by the music of the Dies Irae that he brought forth the terrible angel of the fresco of Heliodorus (Saint Sulpice). After his studies at the Lycée Louis-le-Grand, he entered the school of Fine Arts in Paris and studied there under Guérin.

The extreme poverty which fell to the lot of Delacroix after the death of his parents in 1819 drove him to the production of lithographs, caricatures, etc. In the mean time, however (1818), a distinct promise of his future eminence had been manifested in the first of his recorded canvases, "Roman Matrons Sacrificing their Jewelry to Their Country". Against the advice of his master, Guérin, he exhibited at the Salon of 1822 the "Dante and Virgil", which had the immediate effect of bringing to its creator notoriety, if not fame, for it aroused a whirlwind of critical controversy. In the then existing state of French public opinion in matters of art, it is not wonderful that Delacroix should have failed to win the much coveted *Prix de Rome*, for which he was a competitor; but two years later (1824) his "Massacre of Scio" renewed the strife of the critics which his earlier Salon picture had first kindled, and brought him a little nearer to the goal of success. The conservative classicists condemned his work, as they condemned that of all the new romanticists, for its contempt of established traditions; the subsequent triumph of romanticism brought with it in good time his personal triumph, to be eventually signalized and confirmed by the acquisition of the two bitterly criticized early canvases, the "Roman Matrons" and the "Massacre of Scio", for the national collection of the Louvre. But only after the revolution of 1830 did official recognition and approval visit him. In the year next following that event he travelled through Spain and Morocco, whence he brought back an inspiration of Southern light, colour, and vital force which was to make itself effectively felt in all his later and more widely known work. The new government made him a chevalier of the Legion of Honour; the day of nineteenth-century romanticism had begun in France, and Delacroix, always a leader of this new school, was fairly *arrivé*. From the exhibition of his "Murder of the Bishop of Liège" in the Salon (1831) his progress was never seriously interrupted, in spite of incessant criticism, until, in 1857, it brought him into the fold of the Institute of France. It was during this quarter of a century of his career that he produced those great compositions on medieval and Arabian themes with which his name is nowadays most commonly associated.

The bitter opposition which Delacroix had all his life to endure drew him into discussions on which he displayed a really literary talent. No one who would arrive at a true idea of the man should omit the perusal of his essays on art and his correspondence. The number of his pictorial works is immense, aggregating about 9140 subjects, classified by Ernest Chesneau as follows: 853 canvases,



1525 pastels, water-colours, etc., 6629 drawings, 24 engravings, 109 lithographs, and 60 albums. The following may be mentioned as marking important moments in the development of his genius: "The 28th of July, 1830" (1830); "Charge of Arab Cavalry" (Montellier Museum-1832); "Algerian Women" (Louvre--1834); "Jewish Wedding in Morocco" (Louvre-1841); "Taking of Constantinople by the Crusaders" (Versailles Museum-1841); "Muley-abd-el-Rahman leaving his palace at Mequinez" (Toulouse Museum-1845); "The Two Foscari" (Collection of the Duc d'Aumale at Chantilly-1855). To his early period belong the famous lithographs of Faust which brought him warm praise from Goethe himself. "Sardanapalus" (Salon, 1828), another early *chef-d'oeuvre*, drew from Vitet the remark that "Delacroix était devenu la pierre de scandale des Expositions", while Delécluze called it "une erreur de peintre". "Richelieu Saying Mass", was ordered by the Duke Louis Philippe d'Orléans, while "The Death of Charles the Bold" was ordered by the Minister of the Interior. "The Murder of the Archbishop of Liège", the canvas which actually assured his contemporary fame, was probably the best of all his pictures. From this on, masterpieces follow one another until adverse criticism could no longer seriously affect his position in the world of art.

### Appreciation of His Work

The real founder of the nineteenth-century French School of art, Delacroix stands alone and unsurpassed. The difficulties he had to contend with came from his forcing upon an ignorant public a new school wholly opposed to that of David, which was insincere in its coldness and artificiality, conventional, and absolutely unsympathetic. Though one can find in Delacroix almost all of the best points of men like Rembrandt, Rubens, and Correggio, from the moment he shook off the influence of Géricault - so manifest in "Dante and Virgil" - he threw himself entirely on the resources of his own genius. On the eve of finishing "Massacre of Scio" he had occasion to notice some works of Constable, and there discovered and made his own a principle of art which so many masters have failed to appreciate, viz. that in nature, what seems to be of one colour is really made up of many shades, discovered only by the eye which knows how to see. Thereafter colouring had no secret for him. Delacroix was an artist in a supreme degree. Possessed of a deep knowledge of history, he studied each group and each individual in a series of sketches, which were retouched again and again; only then did they take place in the ensemble. With the instinct of a poet he saw vividly the scene he was painting. His artistic sense kept him from falling into the melodramatic but he remains tragic, and it is for this tragic note, which finds expression in so many bloody themes, that he is generally criticized. Delacroix worked with an unerring instinct of composition, avoiding the monotony of regular line by the varied attitudes of his figures. He excelled in the various branches of his art, and his decorative pictures in the Gallery of Apollo at the Louvre, the drawing-room of the king, the chamber of deputies, and St-Sulpice are as excellent as his canvases. There is hardly a tragedy of the human soul which is not reproduced in his work. He is not popular because the multitude wants pleasure, and Delacroix, like Pascal, does not make one laugh; he terrifies. In the "Murder of the Bishop of Liège", before admiration comes one has shivered at the vivid portrayal of human ferocity; in the "Christ in the Garden of Gethsemani" there is no human sorrow equal to that. Delacroix is the highest manifestation of French genius in art; he not only honours France, but mankind, and is one of those who Emerson said were "representative of humanity".

GOETHE, "Conversations", tr. DELEROT: "Les Beaux-Arts en Europe" (Paris, 1856); "Eugène Delacroix" in "Fine Arts Quarterly Review", III; ATHERTON, "Some Masters of Lithography" (1897); "New York Catalogue of Celebrated Paintings"; "L'Oeuvre Complet d'Eugène Delacroix", ed. ROBERT (1885); TOURNEUX, "Delacroix devant ses contemporains" (Paris, 1886); VACHON, "Étude sur Delacroix" (Paris, 1885); VÉRON, "E. Delacroix" in "Les Artistes célèbres" (Paris).

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## Delacroix, Eugène

(Ferdinand-Victor-Eugène Delacroix) (fěrdənān'-vēktōr'-ōzhēn' dələkrwă') (KEY),  
1798–1863, French painter. Delacroix is considered the foremost painter of the  
romantic movement in France; his influence as a colorist is inestimably great.

He studied in Guérin's studio with Géricault, who became a major influence on  
his work. Delacroix enriched his neoclassical training with acute attention to the  
works of Rubens, Michelangelo, Veronese, and the Venetian school, and later  
Constable, Bonington, and the English watercolorists. When his first major work,  
*The Bark of Dante* (Louvre), had been exhibited in the Salon in 1822 and  
purchased by the government, he was, to his own surprise, recognized as the  
leader of the opposition to the neoclassical school of David. In temperament and  
choice of subjects he was a romantic, as revealed by his dramatic interpretation  
of scenes from mythology, literature, and political, religious, and literary history.

In 1824 Delacroix painted much of his *Massacre at Chios* (Louvre). The violence  
of the subject matter and ravishing color of this work and of *The Death of*  
*Sardanapalus* (1827; Louvre) were heavily condemned by some critics. In  
England in 1825 he spent several months absorbing English painting and  
making numerous studies of horses. As a tribute to Byron and the Greek War of  
Independence he painted *Greece Expiring on the Ruins of Missolonghi* (1827;  
Bordeaux).

The four months Delacroix spent in Morocco in 1832 provided him with visual  
material that he drew upon for the rest of his life. There he filled seven fat  
notebooks with brilliant watercolor sketches and notes. His continuing  
fascination with the exotic was revealed by *Women of Algiers* (1834; Louvre)  
and *The Jewish Wedding* (1839; Louvre). His powerful *Entrance of the*  
*Crusaders into Constantinople* (1841; Louvre) is a compelling, epic work of  
history painting.

Delacroix's other major sources were the works and lives of major literary figures. In 1820 he made 17 bizarre and exciting lithographs for Goethe's *Faust*. He used Shakespeare often in several media (e.g., *Hamlet and Horatio in the Graveyard*, 1839; Louvre). He was also inspired by turbulent scenes from the plays and poems of Byron (e.g., *Combat of the Giaour and the Pasha*, 1827; Art Inst. of Chicago), from the novels of Scott, and from a number of other literary works. He also created many strong paintings on religious themes.

Delacroix's *Self-Portrait* (1835–37; Louvre) reveals a thin, dynamic, yet reserved countenance. He also portrayed many notable contemporaries, including Paganini (1832; Phillips Coll., Washington, D.C.) and, in 1838, his close friends Chopin (Louvre) and George Sand (Copenhagen). Of his animals in motion, the watercolor *Tiger Attacking a Horse* (1825–28; Louvre) and *The Lion Hunt* (1861; Art Inst. of Chicago) are characteristic. During the last three decades of his life he secured numerous public commissions. His decorations in the Palais Bourbon (1833–47; Paris), the Palais de Luxembourg (1841–46), and the Church of Saint-Sulpice (1853–61) are examples of his genius as a muralist. His work is best represented in the Louvre.

### Bibliography

Delacroix's enormous involvement in contemporary artistic and intellectual life is recorded in his journal, kept from 1823 to 1854 (tr. by W. Pach, 1937, repr. 1972; selections tr., 1980, 1995).

See also his selected letters, 1813–63, ed. by J. Stewart (1971); T. Wilson-Smith, *Delacroix, A Life* (1992); E. Davies, *Portrait of Delacroix* (1994); J. Lindsay, *Death of the Hero* (1960); *The Restless Eye* (video, 1980); L. Johnson, *The Paintings of Eugène Delacroix: A Critical Catalogue* (1981–86) and *Delacroix Pastels* (1995); study by F. Trapp (1988); N. M. Athanassoglou-Kallmyer, *Eugène Delacroix: Prints, Politics and Satire* (1991); M. Hannoosh, *Painting and the Journal of Eugène Delacroix* (1995).

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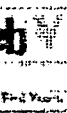
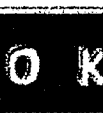
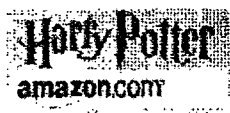


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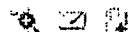
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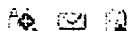
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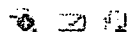
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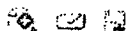
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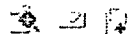


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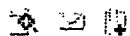
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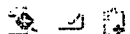


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## 1. 2005-2006 Schedule of Concerts and Lectures Provides Illuminating Look at Art and Artists

...rises at a Fountain by Eugène **Delacroix** December: 1, 2, 4 - Sculptural Model showing The Flagellation of Christ by Giorgio Paganì Februar...



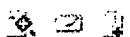
## 2. Museum to Present Renowned Collection of French Master Drawings Spanning Three Centuries of Achievement

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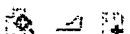
## 3. Exhibition is the Stuff of Dreams, Mystery, Imagination, and Hallucination

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## 4. Unprecedented Gift Announced by Raymond and Ruth Perelman to Spearhead Museum

...7, Recognizing Van Eyck and **Delacroix**: The Late Work in 1998 and, in 1999, Goya: Another Look and Wordly Goods: The Arts of Early Pen...



## 5. European Painting Before 1900

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


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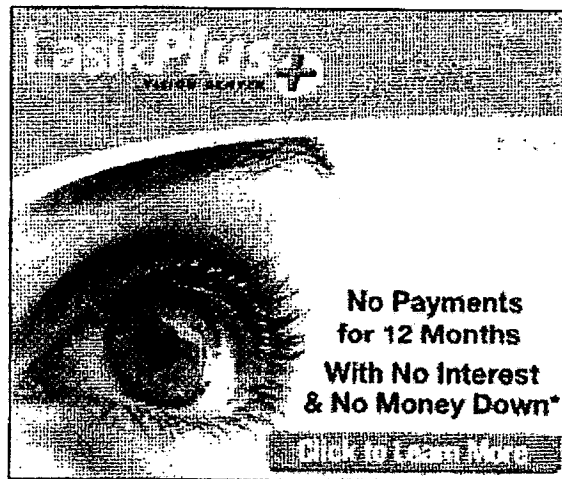
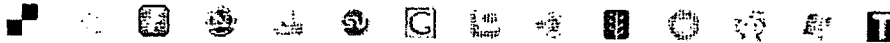
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**De-la-croix** <sup>kl</sup> (də-lă-kraw'), (Ferdinand Victor) Eugène 1798-1863.

French romantic painter known for his vast, dramatic canvases and exuberant use of color, as in *The Massacre of Chios* (1824) and *Liberty Leading the People* (1831).

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- [Eugène De](#)
- [Michel Del](#)
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- [Delacroix](#)
- [Peintures](#)

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**Noun 1. Delacroix** - French romantic painter (1798-1863)

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But think of the great artists of the past – Raphael, Michael Angelo, Ingres, **Delacroix** – they were all successful.

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